

## CALIFORNIA ENERGY COMMISSION

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August 6, 2008

John Parrish, State Geologist  
California Geological Survey  
801 K Street, Suite 1200  
Sacramento, CA 95814

RE: Yucca Mountain Nuclear Repository Documents  
In the Matter of U.S. Department of Energy Before the Nuclear Regulatory  
Commission

Mr. Parrish:

The California Energy Commission and the California Attorney General's Office, on behalf of the State of California, are involved in litigation challenging the United States Department of Energy's application for a license from the Nuclear Regulatory Commission to open a nuclear repository at Yucca Mountain, Nevada. This challenge has been filed in an administrative proceeding wherein each party is allowed specified discovery (10 C.F.R. § 2.1018). As part of that discovery, and in conformance with rules of the Nuclear Regulatory Commission governing information sharing (10 C.F.R. §2.1003), California must identify all documents that the State has that are relevant to the arguments the State plans to make, whether those documents support or oppose the State's position. Your agency has been a member of the California High-Level Nuclear Waste Repository Technical Advisory Group, which means that your agency may have documents that would need to be identified in this proceeding.

California agencies have been particularly concerned with transportation of nuclear waste through California, either generally or on the way to the nuclear repository. In addition, California agencies have been studying whether the Yucca Mountain facility will have adverse environmental impacts on California, in particular groundwater, natural resources, and socioeconomic impacts. Accordingly, we are seeking your assistance in identifying all documents that your agency may have that deal with the transportation of nuclear waste and other radioactive materials generally, transportation of nuclear materials to Yucca Mountain specifically, and any documents addressing any environmental impacts resulting from the construction or operation of the nuclear repository, specifically (but not limited to) groundwater. This includes e-mails, but does not include copyrighted or widely available material.

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At your earliest convenience, could you please contact Barbara Byron, Nuclear Policy Advisor for the California Energy Commission, so that we may arrange for the most efficient method of securing these documents? You can reach Ms. Byron at (916) 654-4976, or via e-mail at [bbyron@energy.state.ca.us](mailto:bbyron@energy.state.ca.us).

We understand that our request may be burdensome and, accordingly, we are willing to review documents onsite or make any other arrangements that would ease this burden. In addition, you should advise your agency that from this point forward, documents of the type referred to above should not be deleted or destroyed. Thank you in advance for your assistance.

Sincerely,



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